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SIXTY-THIRD LEGISLATURE

**THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 10, 2015**

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senator Lacey, absent and formally excused by the Chair; and Senator Lee, absent and excused.

Prayer was offered by Chaplain Brent Adamson.

The Pledge of Allegiance was led by Haley Fronk, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 9, 2015, was read and approved as corrected.

HAGEDORN, Vice-Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 10, 2015

The JUDICIARY AND RULES Committee reports that [S 1051](#), [S 1052](#), [S 1053](#), [S 1054](#), [S 1055](#), [S 1056](#), [S 1057](#), [S 1058](#), and [S 1059](#) have been correctly printed.

HAGEDORN, Vice-Chairman

[S 1051](#), [S 1052](#), [S 1053](#), [S 1054](#), [S 1055](#), and [S 1056](#) were referred to the Judiciary and Rules Committee.

[S 1057](#), [S 1058](#), and [S 1059](#) were referred to the Resources and Environment Committee.

February 9, 2015

The JUDICIARY AND RULES Committee reports that [S 1013](#) has been correctly enrolled.

HAGEDORN, Vice-Chairman

The President signed Enrolled [S 1013](#) and ordered it transmitted to the House for the signature of the Speaker.

February 9, 2015

The JUDICIARY AND RULES Committee reports that Enrolled [S 1002](#) and [S 1003](#) were delivered to the Office of the Governor at 11:40 a.m., February 9, 2015.

HAGEDORN, Vice-Chairman

The report was ordered filed in the office of the Secretary of the Senate.

February 9, 2015

The EDUCATION Committee reports out [H 20](#), [H 21](#), and [H 22](#) with the recommendation that they do pass.

MORTIMER, Chairman

[H 20](#), [H 21](#), and [H 22](#) were filed for second reading.

Senator Lee was recorded present at this order of business.

February 10, 2015

The HEALTH AND WELFARE Committee reports out [S 1036](#) and [S 1037](#) with the recommendation that they do pass.

HEIDER, Chairman

[S 1036](#) and [S 1037](#) were filed for second reading.

February 10, 2015

The AGRICULTURAL AFFAIRS Committee reports it has had under consideration the Gubernatorial reappointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Celia Gould as the Director of the Department of Agriculture, term to expire January 7, 2019.

RICE, Chairman

The Gubernatorial reappointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

February 5, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Gary Saylor of Kuna, Idaho, was reappointed Adjutant General of the Idaho Military Division to serve a term commencing January 17, 2015, and continuing at the pleasure of the Governor.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 5, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Wendy Lively of Ammon, Idaho, was reappointed as a member of the Bingo-Raffle Advisory Board to serve a term commencing January 7, 2015, and expiring January 7, 2018.

This reappointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the State Affairs Committee.

February 6, 2015

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Debra Field of Meridian, Idaho, was appointed as a member of the State Board of Correction to serve a term commencing January 15, 2015, and expiring January 1, 2017.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

The Senate advanced to the Ninth Order of Business.

Messages from the House

February 9, 2015

Dear Mr. President:

I transmit herewith [H 5](#), [H 7](#), [H 9](#), [H 48](#), and [H 49](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 5](#), [H 7](#), [H 9](#), [H 48](#), and [H 49](#) were filed for first reading.

February 9, 2015

Dear Mr. President:

I transmit herewith Enrolled [H 41](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 41](#) and ordered it returned to the House.

February 9, 2015

Dear Mr. President:

I return herewith Enrolled [S 1012](#), which has been signed by the Speaker.

ALEXANDER, Chief Clerk

Enrolled [S 1012](#) was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Sharon Harrigfeld was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Burgoyne disclosed a possible conflict of interest under applicable law.

On motion by Senator Buckner-Webb, seconded by Senator Hagedorn, the Gubernatorial reappointment of Sharon Harrigfeld as the Director of the Department of Juvenile Corrections was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Charles Cuddy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Nuxoll, seconded by Senator Buckner-Webb, the Gubernatorial reappointment of Charles Cuddy as a member of the Idaho Water Resource Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Dale Van Stone was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Keough, seconded by Senator Buckner-Webb, the Gubernatorial appointment of Dale Van Stone as a member of the Idaho Water Resource Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Resources and Environment Committee report relative to the Gubernatorial reappointment of Jeffery Raybould was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Siddoway, seconded by Senator Werk, the Gubernatorial reappointment of Jeffery Raybould as a member of the Idaho Water Resource Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the committee report of the Gubernatorial reappointment confirmation of Peter Van Der Meulen retained its place on the calendar for Wednesday, February 11, 2015.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of Michael Gibson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Burgoyne, the Gubernatorial reappointment of Michael Gibson as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of Travis Beck was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Martin, seconded by Senator Werk, the Gubernatorial appointment of Travis Beck as a member of the Commission for the Blind and Visually Impaired was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1060

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO PSYCHOLOGISTS; AMENDING SECTION 54-2302, IDAHO CODE, TO DEFINE A TERM; AMENDING SECTION 54-2305, IDAHO CODE, TO GRANT SPECIFIC RULEMAKING AUTHORITY TO THE BOARD OF PSYCHOLOGIST EXAMINERS; AMENDING CHAPTER 23, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2316, IDAHO CODE, TO PROVIDE THAT SOME PSYCHOLOGISTS MAY ISSUE CERTAIN PRESCRIPTIONS, TO PROVIDE THAT PRESCRIBING PSYCHOLOGISTS SHALL CONSULT WITH PATIENTS' MEDICAL PROVIDERS AND TO PROVIDE THAT PSYCHOLOGICAL PRESCRIPTIONS COMPLY WITH APPLICABLE LAWS AND REGULATIONS; AND AMENDING CHAPTER 23, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-2317, IDAHO CODE, TO PROVIDE THAT PSYCHOLOGISTS MUST HAVE CERTAIN QUALIFICATIONS TO OBTAIN A CERTIFICATE OF PRESCRIPTIVE AUTHORITY, TO PROVIDE THAT THE BOARD SHALL DEVELOP RULES RELATING TO CERTIFICATES OF PRESCRIPTIVE AUTHORITY AND TO PROVIDE THAT THE BOARD SHALL ESTABLISH AN ADVISORY PANEL.

S 1060 was introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 5, **H 7**, and **H 9**, by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 48 and **H 49**, by Resources and Conservation Committee, were introduced, read the first time at length, and referred to the Resources and Environment Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

On request by Senator Hagedorn, granted by unanimous consent, **S 1015** was referred to the Fourteenth Order of Business, General Calendar.

H 16 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nonini arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bayer, Brackett, Cameron, Davis, Guthrie, Hagedorn, Heider, Keough, Lakey, Johnson (Lodge), Nonini, Nuxoll, Patrick, Rice, Souza, Tippets, Vick, Winder. Total - 18.

NAYS—Bair, Buckner-Webb, Burgoyne, Den Hartog, Hill, Johnson, Lee, Martin, McKenzie, Mortimer, Schmidt, Siddoway, Thayne, Ward-Engelking, Werk. Total - 15.

Absent and excused—Lacey, Stennett. Total - 2.

Total - 35.

Whereupon the President declared **H 16** passed, title was approved, and the bill ordered returned to the House.

[S 1028](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Winder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Cameron, Davis, Den Hartog, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lakey, Lee, Johnson (Lodge), Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Thayn, Tippets, Ward-Engelking, Werk, Winder. Total - 31.

NAYS—Siddoway, Vick. Total - 2.

Absent and excused—Lacey, Stennett. Total - 2.

Total - 35.

Whereupon the President declared [S 1028](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Werk, by voice vote, the Senate adjourned at 12:10 p.m. until the hour of 11 a.m., Wednesday, February 11, 2015.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary